



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,616	02/10/2004	Howard Jason Harrison	81328.0003	3389
29693	7590	01/12/2009		
WILEY REIN LLP 1776 K. STREET N.W. WASHINGTON, DC 20006			EXAMINER LE, TAN	
			ART UNIT 3632	PAPER NUMBER
			MAIL DATE 01/12/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HOWARD JASON HARRISON
and DANA ALISON HARRISON

Application No. 10/774,616
Technology Center 3600

Mailed: January 12, 2009

Before GLORIA HENDERSON, *Review Team Paralegal*
HENDERSON, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on August 12, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter(s) requiring attention prior to docketing are identified below.

The Examiner's Answer filed on April 22, 2008, in response to an ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER filed September 20, 2007, has no indication that an appeal conference has been conducted, since the conferees have not signed the Examiner's Answer.

See, § 1207.01 of the Manual of Patent Examining Procedure (MPEP) (8th Ed., Rev. 3, August 2005) it states:

On the examiner's answer, below the primary examiner's signature, the word "Conferees:" should be included, followed by the typed or printed names of the other two appeal conference participants. These two appeal conference participants must place their initials next to their name. This will make the record clear that an appeal conference has been held. [Emphasis added.]

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner for taking corrective action regarding the appeal conference for the Examiner's Answer filed April 22, 2008, and for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

WILEY REIN LLP
1776 K STREET N.W.
WASHINGTON, D.C. 20006